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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,502	02/27/2002	David G. McCarthy	402-038-26	2742

7590 01/09/2004
Mark P. Stone
25 Third Street
4th Floor
Stamford, CT 06905

EXAMINER

ABRAMS, NEIL

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,502

Applicant(s)

MCCARTHY, DAVID G.

Examiner

Neil Abrams

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

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Prior rejection upon reconsideration is withdrawn.

Claims 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wise in view of Electri Pak and McCarthy 4775328.

Wise, see fig. 4D discloses a system as recited in claim 17 with four ports for outlets 44, 45, etc each with its own line and neutral lines and sharing a common ground. Shared neutral lines are not shown by Wise but are disclosed by Electri Pak document, (Electri-Pak-7 cable) and by McCarthy, see fig. 10. It would have been obvious to arrange the Wise system with one set of outlets 44, 45 having one shared ground and one shared neutral and the other set having a shared neutral and shared ground. This would enable less neutral conductors to be used and obviousness is derived from clear teachings of the references.

Basically the invention is to use the Wise, fig. 4D system but with an added ground so that each set of ports “share a ground” and with two rather than four neutrals so that each set of ports “share a neutral”, rather than one neutral for each port. Clearly use of two ports with shared neutral and ground are suggested by McCarthy, fig. 10 at circuit 1 and circuit 2 and by Electri-Pak. It would have been obvious to from Wise, fig. 4D system with each set 44, 45 and 44'45' arranged just as are the McCarthy circuits 1 and 2 (or those of Electri-Pak) to each share a neutral and a ground. McCarthy and Electri-Pak use four wires for two ports. Wise, as modified, would use eight wires for four ports. Such change clearly suggested by prior art. Claim 20 features clearly taught by Wise, see fig. 2, modules 44, 45, etc.

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Applicant's arguments filed with the amendment have been fully considered but they are not persuasive. See above discussion.

Wise and McCarthy are believed ^{*to have been made*} of record, but are cited again since the paper listing then is not in the PTO file.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number 308-1729.

Abrams/ek

12/24/03


NEIL ABRAMS
EXAMINER
ART UNIT 322